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ABSTRACT

Designed to provide basic information on the evolution and current (1987) status of laws pertaining to public school administration, this book examines laws, regulations, judicial opinions, and their impact on Canadian educational institutions. Discussion focuses on the tension between academic autonomy and individual rights as they affect students' rights, faculty status, sanctions against discrimination, special education, and the AIDS controversy. Chapter 1 discusses "preventive" law and legal sources underlying educational administration, such as provincial legislation, applicable school board policies, and the role of case law in establishing educational policy. Chapter 2 examines the extent of provincial (Ontario) and local board authority when individuals disagree with educational policy. Chapter 3 introduces basic law library research tools. Chapter 4 treats the law of negligence and recovery. Chapter 5 presents material pertinent to student interest, including compulsory education, discipline, student records, child abuse, and the Young Offenders Act. Chapter 6 discusses several court decisions related to school attendance by students with AIDS. Chapter 7 treats special education in Ontario and in the United States, while chapter 8 reviews provincial requirements related to teacher employment constraints and tenure. Chapter 9 deals with the Canadian Constitution and its entrenched Charter of Rights and Freedoms. Chapter 10 contains the conclusion. The book contains a table of cases, chapter endnotes, a glossary of legal terms, and three appendices: (1) the Education Act (Ontario); (2) Young Offenders Act; and (3) the Canadian Constitution. (MLH)

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